

IMPJ-0003D1 (033327-056)

USPTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John D. Hyde et al.

2007 SEP 14 PM 3:42

SERIAL NO.: 10/661,037

CONFIRMATION NO.: 6704

FILING DATE: September 12, 2003

TITLE: Pfet SYNAPSE TRANSISTOR WITH STRUCTURE FOR
FACILITATING CHARGE INJECTION AND/OR TUNNELING WITH
RESPECT TO A FLOATING GATE

EXAMINER: Soward, Ida M.

ART UNIT: 2822

CERTIFICATE OF MAILING

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in an envelope addressed to: Mail Stop 16, Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450, on the date printed below:

Date:

9/10/07

Name:

Sharon E. Byam

Sharon E. Byam

MAIL STOP: 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND OF FEES

Dear Sir:

Applicant respectfully requests that the United States Patent and Trademark office issue a
refund in the amount of \$120.00, to: THELEN REID BROWN RAYSMAN & STEINER LLP,

Deposit Account No. 50-1698 which we believe was charged in error on July 13, 2007 by the
United States Patent and Trademark Office as follows: \$120.00 for Code 1251, representing
charges for filing a response within the first month of extension of time (Posting Entry No.
10661037). A copy of the Deposit Account Statement is enclosed as Exhibit A.

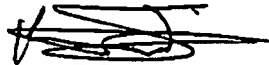
IMPJ-0003D1 (033327-056)

Applicant filed a Revised Appeal Brief in response to the Notification of Non-Compliant Appeal Brief dated May 2, 2007, wherein Applicant was given one month in which to file a response. The Revised Appeal Brief was thereafter filed on June 4, 2007, a Monday. It is respectfully submitted that since the one month time period of June 2, 2007 fell on a Saturday, no extension of time was required to be filed or paid by Applicant. Copies of the Notification of Non-Compliant Appeal Brief, the Response to Notification of Non-Compliant Appeal Brief, Transmittal Letter and postcard showing receipt of this filing are enclosed for your convenience.

Applicant, hereby requests that \$120.00 which was charged in error be refunded to our Deposit Account No. 50-1698 as soon as possible. Please call the undersigned at the number below if you have any questions regarding this matter.

Respectfully submitted,

THELEN REID BROWN RAYSMAN & STEINER LLP



Khaled Shami
Reg. No. 38,745

Dated: September 10, 2007

THELEN REID BROWN
RAYSMAN & STEINER LLP
P.O. Box 640640
San Jose, CA 95164-0640
Telephone: (408) 292-5800
Facsimile: (408) 287-8040

EXHIBIT "A"



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Trademark Office**

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Deposit Account Statement

Requested Statement Month: July 2007
Deposit Account Number: 501698
Name: THELEN REID BROWN RAYSMAN & STEINER LLP.
Attention: CATHY ELCHINOFF
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Street Address 2: 12TH FLOOR
City: SAN JOSE
State: CA
Zip: 95113-1723
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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07/23	4163	09848534	032590-161	8021	\$40.00	\$27,433.00

Deposit Account Statement

Page 2 of 2

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START	SUM OF
BALANCE	CHARGES
\$28,983.00	\$2,000.00

SUM OF	END
REPLENISH	BALANCE
\$40.00	\$27,023.00

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REVIEWED BY DOCKET

Serial/Patent No.: 10/661,037

Filing/Issue Date: 09/12/2003

Applicant: John D. Hyde et al.

Title: pFET SYNAPSE TRANSISTOR WITH STRUCTURE FOR FACILITATING CHARGE INJECTION AND/OR TUNNELING WITH RESPECT TO A FLOATING GATE

Docket No.: IMPJ-0003D1

Atty/Sec'y Initials: DBR/KS/TVZ/ja

Date Mailed: 06/04/2007

Docket Due Date: 06/02/2007

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

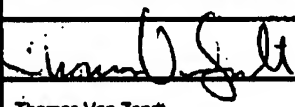
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|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input type="checkbox"/> IDS & PTO 1449 (____ pgs.) |
| <input checked="" type="checkbox"/> Revised Appeal Brief (26 pgs.) | <input type="checkbox"/> ____ Pieces of Prior Art Enclosed |
| <input type="checkbox"/> Application - Utility (____ pgs. with cover & abstract) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Submission of Formal Drawings: |
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| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Notice of Appeal |
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| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Reply Brief (____ pgs.) |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Req. and Cert. Not to Publish - Rule 1.213 |
| <input type="checkbox"/> Certificate of Correction | <input type="checkbox"/> Request for Continued Examination (RCE) (____ pgs.) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Request for Extension of Time: ____ Month(s) |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Response to Notice to File Missing Parts |
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| | Patent Code: ____ |
| | Client/Matter # 033327-056 |




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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/681,037	
	Filing Date	09/12/2003	
	First Named Inventor	John D. Hyde	
	Art Unit	2822	
	Examiner Name	Soward, Ida M.	
Total Number of Pages in This Submission	28	Attorney Docket Number	IMPJ-0003D1 (033327-058)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard, Resp. to Notification of Non-Compliant Appeal Brief (1 pg.), Revised Appeal Brief (26 pgs.)
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Thelen Reid Brown Raysman & Steiner LLP		
Signature			
Printed Name	Thomas Van Zandt		
Date	08/04/2007	Reg. No.	43,219

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Signature			
Typed or printed name	Julie Arango	Date	08/04/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Serial No. 10/661,037
Atty. Docket No. IMPJ-0003D1 (033327-056)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John D. Hyde et al. CONFIRMATION NO.: 6704
SERIAL NO.: 10/661,037
FILING DATE: 09/12/2003
TITLE: pFET SYNAPSE TRANSISTOR WITH STRUCTURE FOR
FACILITATING CHARGE INJECTION AND/OR TUNNELING WITH
RESPECT TO A FLOATING GATE
EXAMINER: Soward, Ida M.
ART UNIT: 2822

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Date: 06/04/2007

Name:


Julie Arango

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF


Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed May 2, 2007, enclosed please find a revised Appeal Brief in compliance with 37 C.F.R. 41.37.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: 06/04/2007


Thomas Van Zandt
Reg. No. 43,219

THELEN REID BROWN RAYSMAN & STEINER LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,037	09/12/2003	Patent Docket:	IMPJ-0003D1	6704
49684	7590	05/02/2007	EXAMINER	
IMPJ - THELEN REID BROWN RAYSMAN & STEINER LLP				
P.O. BOX 640640				
SAN JOSE, CA 95164-0640				
ART UNIT			PAPER NUMBER	

DATE MAILED: 05/02/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

ACTION DUE: Ntc Noncompliance + Amdt Due

DUE/RMR DATE: 6/2/07

DEADLINE DATE: 9/2/07

DOCKETED BY: (TA)

**Notification of Non-Compliant Appeal Brief
(37 CFR 41.37)**

Application No.

10/661,037

Applicant(s)

HYDE ET AL.

Examiner

Soward, Ida M.

Art Unit

2822

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 27 February 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**


1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☐ Other (including any explanation in support of the above items):

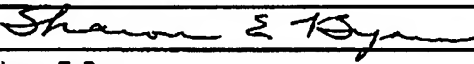
No page and line numbers in the Summary of Claimed Subject Matter section of the brief.


Ida Shawn Hinton

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/661,037	
	Filing Date	September 12, 2003	
	First Named Inventor	John D. Hyde et al.	
	Art Unit	2822	
	Examiner Name	Soward, Ida M.	
Total Number of Pages in This Submission	10	Attorney Docket Number	IMPJ-0003D1 (033327-056)

ENCLOSURES (check all that apply)		
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<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	THELEN REID BROWN RAYSMAN & STEINER LLP		
Signature			
Printed Name	Khaled Shaml		
Date	September 10, 2007	Reg. No.	38,745

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Signature			
Typed or printed name	Sharon E. Byam	Date	September 10, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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01 FC:1251 120.00 CR